

# **EXHIBIT D**

SCOTT D. LEVY  
Scott D. Levy & Associates PC  
Tex. Bar No. 24000598  
1844 Wheeler Street  
Houston, Texas 77004  
(713) 528-5409 Tel.  
(713) 528-0117 Fax  
levy.scott@mac.com

Attorney for Relators  
NYOKA JUNE LEE AND TALALA MSUJA

U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA — WESTERN DIVISION

UNITED STATES OF AMERICA,  
EX REL. NYOKA LEE and  
TALALA MSHUJA,

Plaintiff,

v.

CORINTHIAN COLLEGES INC.,  
et al.,

Defendants.

CASE NO. CV 07-01984 PSG (MANx)

**PLAINTIFF'S INITIAL DISCLOSURES**

Date: September 17, 2012  
Time: 2:00 p.m.  
Place: Courtroom 880  
Judge: Hon. Philip S. Gutierrez

Pursuant to Federal Rule of Civil Procedure 26(a), Plaintiff makes its Initial Disclosures to Defendants. Plaintiff reserves the right to supplement these disclosures as additional discovery and investigation develops.

- (i) **the name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment;**

1. Nyoka June Lee, Relator
2. Talala Mshuja, Relator
3. Steven Fuhr, Relator in *United States ex rel. Fuhr v. Corinthian Colleges*, No. 8:07-cv-01157-AG-CW, Central District of California
4. Stephen Backhus, Relator in *United States ex rel. Backus v. Corinthian Colleges*, No. 07 Civ. 891-T30, Middle District of Florida
5. William B. Buchanan, V-P of Marketing, Corinthian Colleges
6. David G. Moore
7. Jack D. Massimino
8. Peter C. Waller
9. Carolyn Bankston, recruiter, Bryman College, San Francisco
10. Michelle Jones, recruiter, Bryman College, San Francisco
11. Beverly Sanderford, Bryman College, San Jose
12. Cary Kaplan, director of admissions, Bryman College, San Francisco
13. Terry Hearty, president, Bryman College, Hayward
14. Chris Vanness, district manager ----
15. George Greyhab, district manager, Bryman College
16. Tim Lee, district manager
17. Al Plant, president, Bryman College, San Francisco
18. Earon B. Mackey, director of admissions, Bryman College, San Francisco
19. Jim Martin, v-p of marketing and sales, Corinthian Colleges

(ii) **a copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment;**

“Confidential & Privileged Disclosure Statement” made to the U.S. Department of Justice pursuant to 31 U.S.C. §§ 3730(e)(4)(b) and 3730(b)(2), including 402 pages of internal communications between Corinthian Colleges and Relator Nyoka Lee. According to *United States ex rel. Bagley v. TRW*, 212 F.R.D. 554 (C.D. Cal. 2003), such material is protected by the work product doctrine. “[A] written disclosure of substantially all material evidence and information the person possesses” is included in 31 U.S.C. §3730(b)(2).

- (iii) A computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under [Rule 34](#) the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered; and

The net revenues received by Corinthian Colleges, Inc. under the Title IV, Higher Education Act student financial aid programs for the years 2004-2010:

<u>2005</u>	\$ 908,934,000
<u>2006</u>	\$ 907,815,000
<u>2007</u>	\$ 919,224,000
<u>2008</u>	\$1,068,671,000
<u>2009</u>	\$1,307,825,000
<u>2010</u>	\$1,763,797,000

Of this amount, Pell Grants were distributed to Corinthian Colleges during the time the violations were being carried out, to-wit:

<u>2005</u>	\$140,000,000
<u>2006</u>	\$140,000,000
<u>2007</u>	\$170,000,000
<u>2008</u>	\$220,000,000
<u>2009</u>	\$325,000,000
<u>2010</u>	\$509,000,000

In addition, all defaulted student loans during the period 2004-2010 are damages under the False Claims Act.

- (iv) for inspection and copying as under [Rule 34](#), any insurance

**agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.**

None Applicable.

DATED: September 10, 2012

SCOTT D. LEVY & ASSOCIATES PC

By: /s/ Scott D. Levy  
SCOTT D. LEVY

Attorney for Relators  
NYOKA JUNE LEE, TALALA  
MSHUJA

CERTIFICATE OF SERVICE

I Scott D. Levy hereby certify that I served a copy of the above Plaintiff's Initial Disclosures by email, this 10<sup>th</sup> day of September 2012, on Counsel for Defendants:

Blanca Young

Robert Hubbell

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